

NSA review completed

COMMUNIST VIOLATIONS
OF THE 27 JANUARY VIETNAM AGREEMENT

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Done for Kissinger 16 May

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COMMUNIST VIOLATIONS
OF THE 27 JANUARY VIETNAM AGREEMENT

Listed below are major Communist actions which can be described as violations of the 27 January "Agreement on Ending the War and Restoring Peace in Vietnam." Each of these Communist actions is listed under the specific Article of the 27 January Agreement with whose provision it is in conflict. Each is listed and described only once, under the lowest-numbered Article of the Agreement where the violation fits. For example, Communist infiltration and logistic movements through Laos into South Vietnam are listed under Article 7, which forbids the introduction of new troops and military equipment -- except "piece-for-piece" replacement of equipment -- into South Vietnam. We could have listed the same violations again under Article 20, which states that foreign countries shall withdraw all their military forces from Laos and Cambodia. The following account of Communist violations, however, contains no such double counting.

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ARTICLES of the Agreement

ARTICLE 1

This article is not pertinent to Communist violations.

ARTICLES 2 and 3

These articles, along with Articles 1-6 of the Cease-Fire Protocol, established the cease-fire in South Vietnam and called for a cessation of attacks against all places under control of the other side.

Communist Violations

1. In South Vietnam, the total number of Communist-initiated cease-fire violations reported by the South Vietnamese Armed Forces from 27 January through 9 May are shown below.

	Major Communist Violations	Minor Communist Violations
Total	1,924	11,080
MR 1	881	2,921
MR 2	207	1,482
MR 3	326	2,005
MR 4	510	4,672

2. The Communists have clearly committed many major violations of the cease-fire in South Vietnam. Just before the cease-fire went into effect, Communist forces launched widespread attacks in order to interdict GVN lines of communication and to enlarge areas under their control. Many of these attacks continued beyond the cease-fire -- notably at Sa Huynh on the central coast, in the highlands between Kontum and Pleiku, and in Chuong Thien Province in

the Delta.* After GVN forces had regained most of the territory lost in these attacks, the overall level of fighting subsided. Forces under North Vietnamese command, however, have continued attacking GVN-held positions and towns in order to expand the areas under Communist control.

- The ARVN base at Tonle Cham (Tay Ninh Province) has been under continuous attack for weeks.
- Communist forces have initiated and are continuing to carry out strong attacks in Hong Ngu District of Kien Phong Province. They have also carried out further attacks in Chuong Thien, Chau Doc, Bac Lieu, and Dinh Tuong Provinces of MR 4.
- NVA forces have also launched numerous moderate to fairly large attacks by fire and ground probes against GVN positions west of Hue in MR 1.
- NVA forces have also fired rockets and mortars indiscriminately into many cities, refugee camps, and other population centers -- for example in Tam Chau and Phan Thiet -- causing numerous civilian casualties. They have even mortared the locations of ICCS teams at Tri Ton and Hong Ngu.
- In the past month the Communists have increased their use of terrorism in South Vietnam, including assassinations, tossing grenades in public places, mining of public thoroughfares, and widespread abductions. There have been nearly twice as many assassinations of local GVN officials and supporters, for example, in the

* There was also heavy combat in the area north and west of Quang Tri City in the immediate post-cease-fire period, but it is impossible to determine who started each individual action.

period from 1 March to the present as there were in the period of the same length before 1 March.

3. Article 3 of the Agreement also states that all military units of both sides in South Vietnam shall remain "in place." In violation of this provision, the 272nd Regiment of the 9th NVA Division is known to have moved in April 1973 from MR 3 to MR 4, where some elements of the regiment are already operating.

ARTICLES 4, 5, and 6

These articles are not pertinent to Communist violations.

ARTICLE 7

This article, along with Article 7 of the Cease-Fire Protocol, prohibits the introduction into South Vietnam of "troops, military advisers, and military personnel including technical military personnel, armaments, munitions, and war material." It limits equipment inputs to "periodic replacement of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the cease-fire, on the basis of piece-for-piece, of the same characteristics and properties, under the supervision of the Joint Military Commission of the two South Vietnamese parties and of the International Commission of Control and Supervision."

Communist Violations

1. Summary: Since the 27 January Vietnam Agreement was signed, the North Vietnamese have not used designated entry points for the authorized "replacement" exchange of equipment nor has there been any ICCS supervision of equipment imports. Since 27 January, however, the North Vietnamese have done the following:

- Infiltrated over 40,000 personnel into South Vietnam and adjacent border areas of Laos and Cambodia.
- Moved more than 350 tanks and several hundred field and antiaircraft artillery (AAA) pieces into South Vietnam or adjacent border areas.
- Moved into South Vietnam at least four regiments (one engineer and three AAA regiments), plus major elements of two armor regiments. The personnel in these units -- some 4,000 men -- are in addition to the 40,000 men who came south in infiltration groups to flesh out Communist units already in South Vietnam.
- Carried on a large-scale and still continuing logistic effort which has moved thousands of tons of military supplies from North Vietnam toward and into South Vietnam.

The details of Communist violations of Article 7 are presented below.

2. Personnel Infiltration. In the months following the signing of the Vietnam Agreement, Hanoi continued to dispatch infiltrators from North Vietnam to South Vietnam. As recently as mid-May, new groups of combat troops were being dispatched to South Vietnam. The total number of North Vietnamese combat personnel sent south since 27 January exceeds 20,000. The infiltration of civilian and military specialists has also continued at relatively high rates throughout the spring.

3. In addition to the 20,000 personnel discussed above, the Communists have also buttressed their manpower position in South Vietnam by allowing 25,000 men who were already in the infiltration system as of 27 January to complete their journey south. Most of these were combat troops. Consequently, a total of over 45,000 North Vietnamese regular combat and specially-skilled personnel have arrived in South Vietnam or adjacent border areas since 27 January.

4. Deployment of Armor and Artillery.

Hanoi has made a formidable commitment of firepower to its military forces in South Vietnam during the past dry season, moving southward large quantities of tanks and artillery. While the deployment started prior to the cease-fire in South Vietnam, the majority of these tanks and artillery reached their final destinations after 27 January.

5. Characteristic of this year's commitment is the fact that a greater proportion of this firepower was deployed farther south, as attested by the large number of tanks and heavy artillery noted moving to the southern three-fourths of South Vietnam. This is in marked contrast to a year ago, when the emphasis was on MR 1.

6. At least 600 tanks have been sent south by Hanoi since late October 1972, surpassing the number committed to South Vietnam a year earlier for the Communists' 1972 spring offensive. Of this total, more than 350, or some 60%, have completed their journey after the cease-fire date.

7. In addition to armor, Hanoi deployed more than 50 field and antiaircraft artillery groups south this dry season -- about one-third of the total number of regular infiltration groups destined for South Vietnam and Cambodia. The majority of these 50-plus groups completed their southward journey after 27 January. In addition to the antiaircraft weapons

noted in these infiltration groups, there were several hundred guns belonging to the six integral antiaircraft regiments which have deployed into South Vietnam since early January 1973, three of which arrived after the cease-fire.

8. About 40% of the artillery infiltration groups have been noted with specific types of weapons, including the long-range 122-mm and 130-mm field guns, as well as light to medium antiaircraft weapons. About half of the some 200 heavy field artillery pieces moving south were destined for the lower three-fourths of South Vietnam, and this year for the first time the Communists have deployed 122-mm and 130-mm guns to MR 3 and adjacent border areas of Cambodia.

9. Deployment of Integral Communist Units to South Vietnam.

that the Communists have probably deployed at least four new regiments -- three AAA and one engineer -- and major elements of two armor regiments to South Vietnam in violation of Article 7 of the Agreement. Moreover, other smaller units and elements of COSVN (including elements of the Headquarters of the South Vietnamese Liberation Army) also may have been deployed into South Vietnam after 27 January. The personnel in these units are in addition to the more than 40,000 men in infiltration groups.

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10. The following list of Communist combat units moved into South Vietnam after 27 January.

The 254th NVA AAA Regiment with some 850 men deployed from North Vietnam to Quang Tri Province, MR 1, in early February 1973.

In the period from mid-February to mid-March, major elements of the 593rd NVA AAA Regiment with a strength of 500 men arrived in Kontum Province of MR 2 from southern Laos.

In early March the 20th Radar Company of the 290th NVA Reconnaissance Regiment moved from southern Laos to Quang Tri Province to provide radar acquisition data for the 263rd SAM Regiment, which had deployed there from North Vietnam in January prior to the cease-fire.

The 3rd Battalion of the 203rd NVA Armor Regiment arrived in Quang Tin Province of southern MR 1 in February with a strength of 200 men and subsequently is believed to have deployed into Quang Ngai Province.

During the period 27 January to 17 March, the headquarters of the 203rd NVA Armor Regiment was en route to MR 3 and subsequently arrived there in late April.

Between 27 January and 20 March the headquarters of the 69th NVA Artillery Command, with a strength of 250 men, moved from a position in southern Kratie Province, Cambodia, to a location in northern Tay Ninh Province, South Vietnam.

During March, one battalion of the 239th NVA Engineer Regiment deployed from Laos to MR 2. The remaining two battalions and regimental headquarters deployed to southern South Vietnam during April. The strength of the regiment was about 1,000 men.

By April the 245th NVA AAA Regiment -- which had deployed into southern Laos from North Vietnam in mid-January with about 850 men -- had relocated from the Laotian Panhandle into South Vietnam's Quang Tri Province.

In mid-April, elements of the 201st Armor Regiment had recently arrived in Quang Tri Province and were operating there. The entire regiment has an estimated strength of 1,000 men and some 100 tanks.

Beginning in early December 1972 and continuing through mid-February, elements of COSVN (including elements of SVNLA Headquarters) relocated to MR 3 from Cambodia.

Immediately following the cease-fire, elements of the 174th Regiment of the 5th NVA Division and the 207th Regiment reinfiltred into northern Kien Phong Province from adjacent areas in Cambodia.

11. The Communist Logistic Effort. North Vietnamese logistic movements across the DMZ and MR 1, and through the Laotian Panhandle toward and into the lower three-quarters of South Vietnam, have continued at a high pace since January -- almost as if there has been no Vietnam Agreement. The major change from previous years is that Hanoi has been able to move its supplies more easily, and in daylight hours, because of the absence of US bombing.

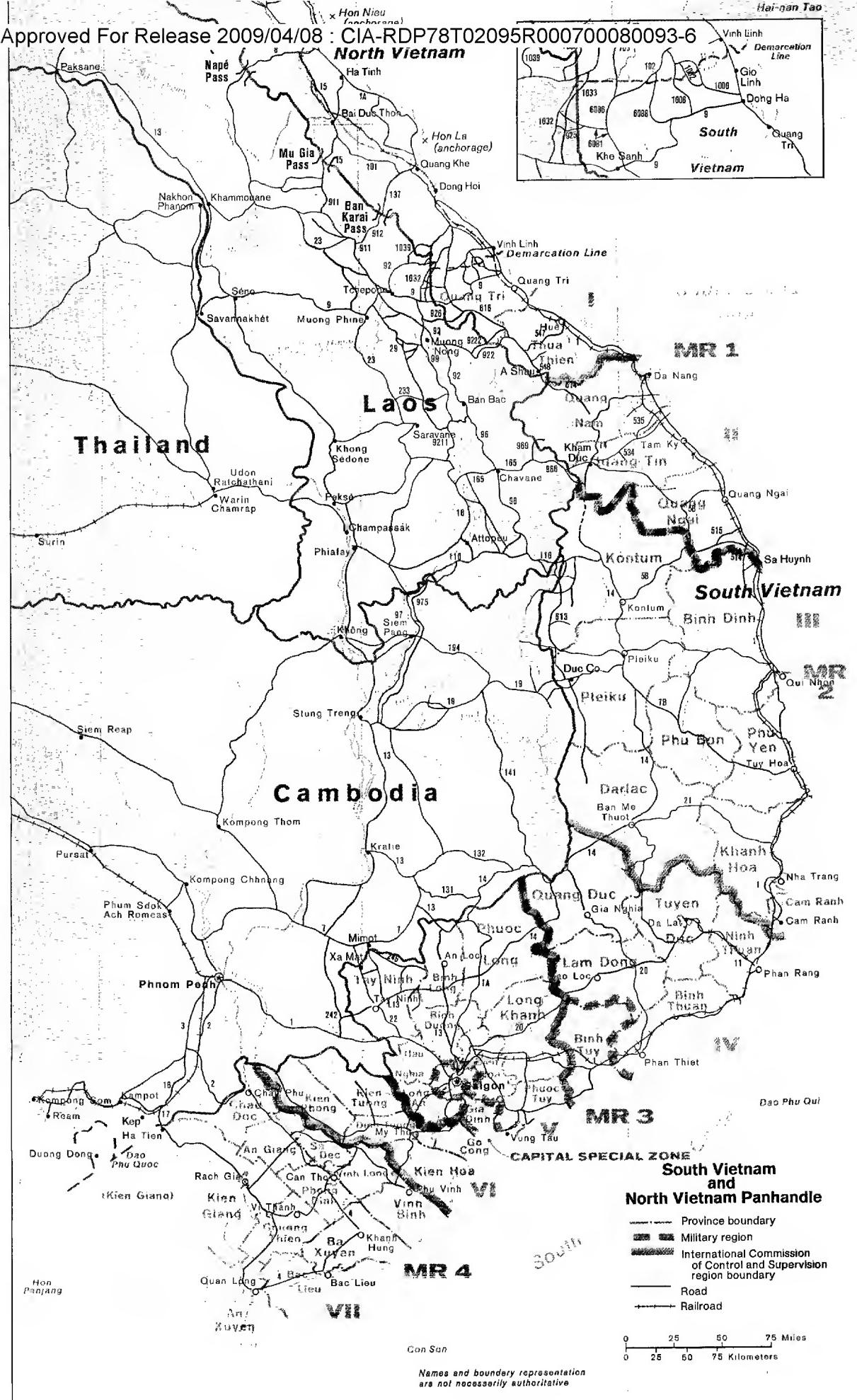
12. The pace of logistic activity observed since the Agreement was signed has fit almost perfectly the pattern of a normal dry season campaign. Activity in North Vietnam continued at high levels into early February, and dropped sharply since that time as most supplies have

since that time as most supplies have moved farther south. Activity in the Laotian Panhandle has continued to be heavy right up to the present. Recently, the North Vietnamese have also put a high priority on the movement of supplies from Laos into South Vietnam. NVA vehicle activity has continued within South Vietnam -- at very high levels in Quang Tri Province and at sustained but generally lower levels elsewhere.

13. The movement of military equipment and ammunition has continued throughout the cease-fire period, although in recent weeks there has been an increase in the proportion of total NVA supplies moving which has been identified as foodstuffs and quartermaster supplies. Reliable evidence received since mid-April, however, has indicated that by that time Hanoi already had in storage very large quantities of weapons and ammunition in Quang Tri Province and the Laos/South Vietnam border area of MR 1. The extremely heavy movement of ammunition south which was observed from October 1972 until shortly after the cease-fire would account for the existence of these stocks of military supplies.

14. The Communists have as yet shown no sign of intentions to reduce the level of supplies moving southward or the size of their resupply network in southern Laos and South Vietnam. The supply system has been reorganized since the cease-fire to facilitate transportation in an environment free from aerial attacks. Reports received within the last two weeks indicate that major transportation efforts have been initiated by a unit in the southern North Vietnam Panhandle, and by the major logistic groups in southern Laos. These offensives are scheduled to last through May and could be sustained beyond that date depending on the weather. There has also been extensive Communist road construction activity within South Vietnam since the signing of the cease-fire agreement. Although it appears that the North Vietnamese may be develop-

North Vietnam



ing a north-south road network with South Vietnam and extending from the DMZ into MR 3, there has been no evidence that they intend to abandon the Ho Chi Minh trail system in southern Laos.

15. In the following paragraphs we detail the major Communist logistic movements which have taken place since 27 January. For convenience, we have divided the period since then into three parts: (a) 27 January-28 February, (b) 1-31 March, and (c) 1 April to the present.

16. From 27 January through 28 February, very heavy levels of traffic were observed moving over the passes from North Vietnam into southern Laos, and there were also indications of a high pace of logistic activity in the North Vietnam Panhandle south of Dong Hoi.

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25X1 [redacted], there was also heavy traffic moving on the major routes between NVA logistic entities in the Laotian Panhandle. Similar levels of activity were observed within northern South Vietnam at this time. Hanoi also moved a substantial volume of military supplies into northern Laos during the month of February.

A. NVA Logistic Movements Within South Vietnam, 27 January-28 February

a. On Route 9 in Quang Tri Province:

1. During the period 7-22 February a steady flow of North Vietnamese truck traffic, averaging six trucks per day, was noted moving east from southern Laos into Quang Tri Province on this route.

2. On 18 and 24 February, 33 and 30 North Vietnamese cargo trucks, respectively, were traveling this route west of Khe Sanh.

b. A North Vietnamese SA-2 SAM regiment with at least four firing battalions moved into the Khe Sanh area of northern South Vietnam in mid-January. The presence of SAMs in this area was first confirmed on 6 February, when two operational sites were detected. Since that date the North Vietnamese have built additional sites. There now are about a dozen sites, and the Communists rotate their firing units among these positions to make them less vulnerable to bombing. At any time, as many as four or five sites may be operational.

c. On Route 608 north of Khe Sanh, 32 North Vietnamese cargo trucks were spotted on 24 February, and 20 cargo trucks and six unidentified vehicles were seen on 27 February.

d. [redacted] 25X1
in late February indicated that as of mid-February, military supplies were continuing to enter Thua Thien Province from Laos and that base areas for the supplies were being established in the mountains about 25 miles southwest of Hue.

e. The North Vietnamese began deploying 130-mm artillery field guns into MR 3 during late February. On 27 February at least twelve 130-mm field guns were being towed from Snuol, Cambodia, to Loc Ninh, South Vietnam.

f. On 6 February, in the western DMZ area, there were 105 North Vietnamese cargo trucks observed on Route 1033A, and 230 cargo vehicles were seen on Route 102B near its intersection with Route 1032A in the same area.

g. On Route 102B in the western DMZ, 62 cargo vehicles were spotted on 17 February and 59 trucks were observed on 18 February.

h. On 1 February there were 23 NVA cargo trucks observed on Route 561A northwest of Quang Tri City.

i. On 22 February, 30 trucks were observed entering a North Vietnamese truck park in the western DMZ during a one-hour period.

j. A convoy of 18 NVA cargo trucks was moving on Route 102B in the western DMZ on 24 February.

B. NVA Logistic Movements in Laos and Cambodia, 27 January-28 February

a. During the period 1-10 February, 1,252 North Vietnamese cargo vehicles were active in the tri-border area. At least 255 of these vehicles were observed moving toward the central highlands of South Vietnam, and at least 281 moving toward the southern half of South Vietnam.

b. On 12 February an NVA logistic unit in southern Laos just west of the DMZ was observed preparing large vehicle convoys to move cargo to coastal central South Vietnam.

c. On 17 February there were six vehicles towing 85-mm artillery pieces detected heading toward the southern half of South Vietnam from a major North Vietnamese logistic unit in the tri-border area.

d. The North Vietnamese moved about 400 tanks through southern Laos and north-eastern Cambodia from 27 January to the end of February. The tanks were all clearly to be assigned to Communist units in southern South Vietnam or Cambodia.

25X1 e. During the period 25 February - 1 March, [redacted] over 5,160 NVA cargo trucks active between logistic entities in the southern Laotian Panhandle. Of this total, at least 330 were specifically headed toward South Vietnam, most toward the southern half of the country.

f. Between 25 February and 1 March, over 60 cargo trucks were noted on the feeder routes from Laos into northern South Vietnam. A 50-truck convoy was also observed traveling on Route 922 into South Vietnam on 26 February.

g. About 50 vehicles were detected returning from northeastern Cambodia to the tri-border area of Laos to participate in logistic activity there. It can be stated categorically that all activity in this area is directed toward the central highlands of South Vietnam.

25X1 h. [redacted]
about 1,100 trucks were moving through the Ban Karai Pass from North Vietnam into southern Laos between 1 and 23 February. It is known that the cargo on these trucks included more than 2,000 tons of food and over 1,000 tons of ordnance.

i. On 3 February, a 70-truck convoy was spotted transporting ammunition in the area of eastern Laos between the DMZ and the A Shau Valley. In the same area, 194 NVA cargo vehicles were active on 3 February and 233 active on 5 February.

j. Between 13 and 16 February, there were 66 North Vietnamese vehicles observed moving ordnance to a storage area near Tchepone in southern Laos.

C. NVA Logistic Movements Within North Vietnam, 27 January-28 February

a. On 8 February, two rail cars of military goods were unloaded in the central Panhandle of North Vietnam. Included in the manifest were 26 tons of munitions specifically earmarked for South Vietnam.

b. On 14 February, eight tons of grenades were detected moving from the central Panhandle of North Vietnam to South Vietnam.

c. An NVA logistic unit operating on the Song Ca River south of Vinh was reported to be shipping over 100 tons of supplies daily through its area during the period immediately preceding 23 February. This entity serves as a major transshipment point for supplies moving from Vinh southward toward southern Laos and South Vietnam.

d. On 27 February, 65 cargo trucks were seen on Route 137 north of the Ban Karai Pass.

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e. [redacted] during the last three days of February there were about 2,500 tons of supplies moving between logistic units in the southern North Vietnam Panhandle. The types and specific destination of the cargoes were not obtained.

17. From 1 March through 31 March, traffic moving over the passes from North Vietnam into southern Laos continued to be heavy, and in

the Laotian Panhandle, large numbers of vehicles were observed each day on the north-south routes of the central corridor and also along the feeder routes into South Vietnam. There was also very heavy levels of activity in northern South Vietnam. Communist road construction was also observed at a number of points within South Vietnam.

A. NVA Logistic Movements Within South Vietnam, 1-31 March

a. On Route 9 in Quang Tri Province:

1. There were 36 cargo trucks spotted between Khe Sanh and the Laos border on 6 March.

2. As of 6 March the North Vietnamese were upgrading a second runway at the Khe Sanh airfield.

b. During early March, the Communists were observed constructing a road from the Route 165/966 intersection in southern Laos into Quang Tin and Quang Ngai Provinces of South Vietnam. The road was not close to any of the three "legal" border entry points which the Communists had requested as of that time.

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c. [redacted] during the period 8-14 March, a major unit operating in northeastern Quang Tri Province accepted or dispatched about 2,500 cargo vehicles.

d. Road improvement was observed during late February/early March on Route 6089 north of its junction with Route 616 south of Khe Sanh. A new dual lane highway bridge was also constructed during this period on Route 9, 4 miles east of Khe Sanh.

e. On 6 March, nine NVA trucks were observed towing AAA guns and two 130-mm field guns south on Route 13 toward Loc Ninh in northern Binh Long Province.

f. On 17 March, it was reported that 55 NVA cargo trucks had delivered over 100 tons of cargo to several locations in northern MR 1. On 19 March, an NVA unit in the A Shau Valley was observed receiving over 170 tons of cargo, most of it ammunition.

g. As of 19 March, there had been a total of seven NVA storage facilities constructed in the A Shau Valley. The facilities had been built since 24 February and contained as many as seven storage buildings plus areas for open storage.

h. On 19 March, at least 130 tons of ammunition were observed moving between NVA units operating in Quang Tri Province.

i. On 20 March, 46 NVA trucks were noted moving ammunition in one area of Quang Tri Province.

j. Reports from Quang Tri Province disclosed that on 20 March, one NVA unit received or dispatched 200 vehicles, while another received or dispatched 300 vehicles on the same date.

k. On 21 and 22 March, 1,100 tons of rice and ordnance were shipped between two units operating in Quang Tri Province. On 23 and 25 March, another unit received over 400 tons of assorted munitions.

1. On 30 March, 26 vehicles transported 93 tons of TNT and rocket and mortar ammunition to a unit in northern Quang Tri Province. After the receipt of this cargo, this unit had over 900 tons of ammunition and construction-related explosives in storage.

m. On 31 March, 137 cargo vehicles were spotted on Route 9 in western Quang Tri Province heading both east and west.

B. NVA Logistic Movements Within Laos and Cambodia, 1-31 March

a. On 8 March a convoy of 50-60 NVA cargo trucks carrying food and ordnance was detected moving supplies south along Route 16 through Attopeu and into Cambodia.

b. From 23 February to 9 March, over 1,000 trucks were observed moving southward through Ban Karai Pass.

c. On 1 March, 285 vehicles were being moved from the southern Laotian Panhandle to southern South Vietnam to support logistic activity there.

d. On 1 March, one unit in the tri-border area of Laos and three units in northeastern Cambodia were observed to have over 200 vehicles available to support logistic activity in the area.

e. There were 380 cargo trucks spotted moving southward on Route 912 through Ban Karai into southern Laos between 28 February and 6 March.

f. Two NVA units in the tri-border area of Laos dispatched over 300 vehicles toward South Vietnam and Cambodia during the first 10 days of March.

g. On 16 March an NVA unit operating in northeastern Cambodia dispatched at least 88 vehicles carrying unspecified type of cargo.

h. On 16-17 March an NVA unit operating in the tri-border area was observed receiving 70 cargo vehicles and on 17 March dispatching 30 vehicles destined for South Vietnam.

i. On 22 March, about 200 vehicles were detected moving between NVA entities in the northwest Bolovens region and the area west of Chavane in the Laotian Panhandle.

j. On 23 March, an NVA unit in the tri-border area had 77 vehicles transporting cargo. Another unit near Ban Bac had 70 vehicles operating on 24 March, and another south of Saravane received 46 vehicles and dispatched 42 on 25 March.

k. On 28 March, [redacted]

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[redacted] 70 trucks on Route 966 east of Chavane -- a three-fold increase in the traffic observed on this route since the cease-fire in Laos on 22 February.

l. From 29 March through 1 April, at least 370 vehicles were detected moving between NVA units in the southern Laotian Panhandle. About 200 of these were headed for a destination in northeastern Cambodia adjacent to Pleiku Province, South Vietnam.

m. An NVA unit in the area northwest of Ban Bac moved 690 loaded vehicles into the A Shau Valley during March.

n. On 29 March, a unit near Tchepone received 42 cargo vehicles and dispatched 71.

C. NVA Logistic Movements Within North Vietnam, 1-31 March

a. It was reported in early March that an NVA unit south of Vinh would ship over 1,000 tons of cargo southward during the month.

b. On 16 March, nearly 200 tons of cargo were observed being offloaded from barges by a logistic unit operating south of Vinh on the Song Ca River. The same unit reportedly received over 100 tons of cargo on 21 March.

c. On 21 March a logistic entity in the southern North Vietnam Panhandle shipped 100 tons of rice southward from Dong Hoi via barge. On 25 March the same unit had 45 tons of ammunition and 550 tons of rice awaiting shipment at dockside.

d. On 21 March, another unit operating south of Dong Hoi sent 49 vehicles south and 46 north.

e. The major NVA petroleum transhipment facility located in Thanh Hoa Province pumped nearly 7,000 tons of petroleum during March. Nearly all of the total was moving southward.

18. From 1 April to the present, activity in the Vinh area of North Vietnam decreased to very low levels, but large-scale logistic movements continued throughout the rest of the system. Heavy traffic was reported through the pass areas and NVA vehicle activity detected on the central corridor of the Laotian

Panhandle was very heavy, sometimes approaching 300 vehicles in a single day (both directions) on Route 99. Activity was also detected at very high levels in northern South Vietnam, and sources in the South Vietnam/Laos border area of MR 1 indicated that very large quantities of weapons and ammunition were in storage at a number of NVA locations. There was also continuing evidence of Communist road building activity in South Vietnam.

A. NVA Logistic Movements Within South Vietnam, 1 April to Present

a. During the period 1-5 April, there were 64 southbound cargo vehicles detected on Route 1033 in the western DMZ.

b. On 3 April, 65 NVA cargo vehicles were reported on Route 608 north of Khe Sanh.

c. On 7 April 21 cargo vehicles were on Route 6089 southeast of Khe Sanh (11 northbound, 6 southbound, and 4 parked).

d. On Route 616 southeast of Khe Sanh, there were 11 cargo trucks and 31 57-mm AAA pieces parked along the road on 10 April.

e. On 9 April, a convoy of 21 vehicles was seen on Route 922 traveling on the segment just inside the South Vietnam/Laos border. Sixteen of the vehicles were moving south, six of them towing light artillery pieces.

f. On 9 April, 16 trucks, 5 tanks, 1 armored personnel carrier, and 6 field artillery pieces were seen parked along Route 547 southwest of Hue.

g. During the period 10-12 April, over 80 tons of cargo were shipped by NVA units in northern Quang Tri Province.

h. On 15 April, 63 vehicles assigned to an NVA unit in Quang Tri Province picked up cargo at Dong Hoi, North Vietnam, and moved it into South Vietnam.

i. On 15 April a major NVA unit operating in the border area of northern MR 1 and Laos had over 8,000 tons of supplies in storage, of which 7,700 tons were weapons and ammunition.

j. On 16 April, there were 71 cargo vehicles on Route 9 between Dong Ha and Khe Sanh (29 eastbound, 10 westbound, and 32 parked).

k. Since early March, the Communists had been working on the reconstruction of a road running southward from Mimot, Cambodia, into South Vietnam's Tay Ninh Province. Reporting of mid-April indicated that the road had been restored and was supporting tanks and artillery pieces. The rebuilt road provides a connection between Route L13 in Tay Ninh Province and Route 7 in southeastern Cambodia, and by-passes the ICCS check point at Xa Mat.

l. During mid-April, a number of instances of Communist road construction activity inside South Vietnam were reported. The Communists had been extending Route 614 in the A Shau Valley for most of the period since the cease-fire, apparently to connect the road with Route 14 to the south. As of 7 April the distance between these two roads had been reduced to about 18 miles. As of 12 April, there was an 8-mile segment of newly constructed road extending from Route 514 to within 5 miles of the coastal town of Sa Huynh in Quang Ngai Province. Finally, there was a 52-mile segment of cleared road observed on 16 April extending southward from the Route 19 intersection with the Laos border about midway into Darlac Province.

m. On 20 April, the major unit operating in northern Quang Tri Province shipped about 210 tons of munitions southward on Route 608/616. The total included nearly 150 tons of 160-mm mortar ammunition.

n. On 29 April, nine trucks were detected transporting about 30 tons of cargo in the western MR 1/Laos border area. On the next day that an NVA storage facility in the area had over 7,500 tons of cargo -- primarily ordnance -- on hand.

B. NVA Logistic Movements in Laos and Cambodia, 1 April to Present

a. From 29 March through 1 April, at least 370 vehicles were detected moving between two Communist units in the southern Laotian Panhandle. About 200 of these vehicles were headed for a destination in northeastern Cambodia adjacent to Pleiku Province.

b. On 7 April, 43 cargo vehicles were observed on Route 966 east of Chavane near the South Vietnam border (34 eastbound and 9 parked).

c. On 8 April, an NVA unit in northeastern Cambodia was detected shipping 77 tons of petroleum and diesel fuel, 88 tons of rice, and over 50 tons of food supplies to an NVA engineer regiment operating in the area.

d. On 12 April, 44 cargo vehicles were detected on Route 912 northwest of Tchepone (5 northbound, 2 southbound, and 37 parked). On 15 April, there were 25 vehicles on this route (7 northbound, 2 southbound, and 16 parked).

e. During the period 20-22 April, a number of NVA logistic units operating in the Laotian Panhandle adjacent to or in GVN MR 1 handled large shipments of

supplies, consisting primarily of ordnance and ammunition. Three storage facilities in the area were observed receiving over 2,000 tons of munitions over the three-day period.

f. On 20 April, an NVA unit operating in the Laotian Panhandle adjacent to central MR 1 received a total of 95 vehicles, 40 of which moved on to another destination.

g. On 21 April, 47 cargo vehicles were seen traveling on Route 966 east of Chavane (31 eastbound, 6 westbound, and 10 parked). There were also 47 vehicles observed on this route on 24 April (34 eastbound, 7 westbound, and 6 parked).

h. On 23 April there were 75 cargo trucks on Route 9211 southeast of Saravane (13 northbound, 29 southbound, and 33 parked). On 24 April, 82 cargo vehicles were observed on this route (10 northbound, 70 southbound, and 2 parked).

i. On 24 April, 70 eastbound cargo trucks were seen moving on Route 9 east of Tchepone.

j. On 25-26 April, nearly 300 NVA vehicles were active in the tri-border area of the southern Laotian Panhandle and northeastern Cambodia. Most of the vehicles were shuttling cargo eastward into South Vietnam.

k. On 26 April, there were 24 cargo trucks on Route 9211 south of Saravane (18 southbound and 6 northbound). There were 46 cargo vehicles on this route on 30 April (9 northbound, 33 southbound, and 4 parked).

l. On 30 April, there were 28 cargo trucks detected on Route 9 from the

Route 92 intersection east to the Laos/South Vietnam border (8 eastbound, 20 parked) .

C. NVA Logistic Movements in North Vietnam, 1 April to Present

a. On 6-7 April, nearly 200 cargo vehicles passed through the operational area of an NVA logistic unit south of Dong Hoi. The total included at least 85 southbound vehicles, but the type and amount of supplies being carried could not be determined. The same unit reportedly had 146 vehicles (74 northbound and 72 southbound) pass through its area on 10 April.

b. In the southern North Vietnamese Panhandle, 85 cargo vehicles passed through the area of a major NVA logistic unit on 15 April (43 southbound and 42 northbound).

c. On 19 April, an NVA unit in the southern Panhandle offloaded over 300 tons of foodstuffs and medical supplies from barges on the Giang River and shipped out over 100 tons of rice.

d. During the period 21-23 April, over 240 vehicles were noted transiting the area of an NVA logistic unit south of Dong Hoi.

e. During the period 1-26 April, nearly 2,000 vehicles were moving through the area of a major NVA logistic unit south of Dong Hoi, over half of them traveling south.

f. On 25 April, over 100 vehicles moving in both directions passed a vehicle checkpoint south of Dong Hoi.

g. On 28-29 April, over 140 NVA cargo vehicles were observed crossing the Giang River in the southern Panhandle.

ARTICLE 8

This article, along with the Protocol on Captured Personnel, calls for the return of all military prisoners of war within 60 days, and urges the two South Vietnamese sides to resolve the question on civilian detainees within 90 days.

Communist Violations

1. The GVN Joint General Staff (JGS) states that there was on 27 January 1973 a total of 31,810 RVNAF personnel held as POWs by the Communists. Of these the JGS states that 1,069 were captured in Laos and 531 in Cambodia.

2. As of 28 March, 5,018 of these prisoners of war had been released. Also, since the cease-fire, approximately 1,200 RVNAF personnel have been reported missing. This would bring the total RVNAF personnel possibly still held as POWs by the Communists to approximately 28,000.

3. The above GVN figures of POWs held by the Communists include missing RVNAF personnel as well as captured. The GVN has no way of telling how many of these men were captured and how many may have deserted, died, been induced to go over to the Communist side, or impressed into the Communist forces.

4. The GVN has compiled a list of actual names of 67,501 of its civilians detained by the other side since 1954. Of these, 16,754 were GVN local officials and government cadre. The Communists, however, initially claimed to hold only 140. They later raised this number to 428, and finally, on 20 April, agreed to release 637.

ARTICLES 9, 10, 11, 12, 13, and 14

These articles are not pertinent to Communist violations.

ARTICLE 15

This article states that the reunification of Vietnam must be accomplished through peaceful means and that, pending reunification, North and South Vietnam shall respect the DMZ.

Communist Violations

1. North Vietnam has, since the cease-fire, moved sizable numbers of troops back and forth across the DMZ, and has (as stated earlier) moved thousands of tons of military supplies across the DMZ into South Vietnam.

2. North Vietnam has virtually annexed sizable areas of Quang Tri Province below the DMZ. It has not even engaged in the pretext of a "PRG" administration in that part of Quang Tri Province under its control, but openly administers it directly through ministries and agencies of North Vietnam. In other words, for North Vietnam, the DMZ does not exist.

ARTICLE 16

This article is not pertinent to current Communist violations. (The article concerns the Four-Party Joint Military Commission, which has already been dissolved.)

ARTICLE 17

This article, along with articles 11-18 of the Cease-Fire Protocol, sets forth the proper functioning of the Two-Party Joint Military Commission (TPJMC).

Communist Violations

1. The negative attitude of the Communist side has prevented the TPJMC from functioning as it was intended to function.

The former "PRG" Chief Delegate (Tran Van Tra, an NVA General, Deputy Chief of Staff of the NVA and alternate member of the Party Central Committee) had absented himself from TPJMC meetings for six weeks beginning 30 March, and his replacement was named only a few days ago.

The "PRG" has not responded to the GVN offer to extend the FPJMC "privileges and immunities" to the TPJMC.

The "PRG" has failed to deploy personnel to points of entry designated under Article 7.

The "PRG" has refused to discuss GVN proposals for prompt agreement on organization and deployment (based on ICCS deployments).

The "PRG" delegation has not seriously responded to GVN proposals to freeze major combat units and to begin delineation of zones of control.

The "PRG" delegates have refused to discuss GVN-proposed procedures for establishing cease-fires in areas under Communist attack (e.g., Tonle Cham and Hong Ngu).

ARTICLE 18

This article establishes the International Commission of Control and Supervision (ICCS). Both this article and the Protocol to the Agreement on the ICCS state that the two South Vietnamese parties shall facilitate the operation of the ICCS teams and give them full cooperation, assistance, and protection.

Communist Violations

1. The Communists have seriously hindered the operation of the ICCS and have frequently endangered the lives of the Commission's delegates. These forces have on a number of occasions fired on clearly marked ICCS helicopters and on 7 April shot down an ICCS helicopter in Quang Tri Province killing all nine passengers aboard. The other side's explanation that this helicopter was off course ignores the fact that ICCS helicopters are not to be fired on under any circumstance -- neither, for that matter, are any other aircraft operating legitimately in GVN airspace and not engaged in acts of force.

2. The Communists have seriously threatened the safety of ICCS personnel by conducting numerous artillery and rocket attacks upon Tri Ton and Hong Ngu district towns where Commission members have been stationed.

3. The unwillingness of the Communist side to ensure the safety of ICCS inspections or travel in areas under their control has seriously impaired ICCS operations.

ARTICLE 19

This article is not pertinent to Communist violations.

ARTICLE 20

This article concerns Laos and Cambodia and states, among other things, that all parties to

the Agreement shall end their military activities in these two countries and withdraw their military forces therefrom.

Communist Violations

1. North Vietnam still maintains military forces in Laos and Cambodia, and shows no intention of removing them.

2. North Vietnamese Forces in Laos. NVA combat troops in Laos are organized into two infantry divisions and 13 regiments, as well as a number of independent battalions. Large numbers of administrative forces are principally engaged in operating and maintaining the Ho Chi Trail system in southern Laos.

3. From late 1972 until February 1973 the North Vietnamese steadily augmented their combat forces in Laos, both by deploying units from North Vietnam and creating units from personnel already in Laos. During the same period, the North Vietnamese also began an extensive reorganization of their rear services apparatus in southern Laos which involved the transformation of binh trams, which had performed a variety of functions, into regiments, each of which is engaged in one specific task, such as engineering or transportation. It is apparent, however, that the reorganization is not yet complete and that further changes probably will be made in the near future.

4. In addition to their own forces, the North Vietnamese continue to maintain an extensive advisory presence in both northern and southern Laos.

There are North Vietnamese advisers at all major command levels. Moreover, in order to instruct the PL, NVA troops occasionally have been attached to PL units on a temporary basis. Over the years, the NVA advisory effort has proven extremely valuable -- if not essential -- to the PL, both in terms of planning overall strategy and conducting daily tactical operations.

5. North Vietnamese Forces in Cambodia. VC/NVA combat troops in Cambodia are organized into five regiments and several independent battalions. In addition many thousands of the administrative services troops are located in the eastern part of the country. The disproportionately large administrative structure has a dual role, supporting both VC/NVA forces in South Vietnam's MRs 3 and 4 and VC/NVA and Khmer units in Cambodia.

6. In addition to providing support for VC and Khmer Communist (KC) units in Cambodia, the North Vietnamese have furnished a significant number of advisers to the KC military and political apparatus. The North Vietnamese commitment of combat troops has declined markedly since the withdrawal of major units prior to the offensive in South Vietnam in 1972. Nonetheless, the North Vietnamese continue to provide a significant level of logistical and some fire support in addition to their relatively small manpower commitment. The North Vietnamese also, of course, have a decisive voice in determining what military policies the Khmer Communists shall pursue.

ARTICLES 21, 22, and 23

These articles are not pertinent to Communist violations.